

MAR 25 2004

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/954,446
Filing Date	14 September 2001
First Named Inventor	Robert M. STACY et al.
Group Art Unit	3743
Examiner Name	Josiah C. Cocks
Attorney Docket Number	FMC-1031

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declarations

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a)), (2 pages), in duplicate

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## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other:

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3550

i. ☐ RCE fee required under 37 C.F.R. § 1.17 (e)

ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)

iii. ☒ Other any deficiency in the enclosed fee

b. ☒ Checks in the amounts of \$770.00 and \$950.00 are enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

03/26/2004 MAHMED1 00000142 09954446

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770.00 OP

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kevin D. Erickson	Registration No. (Attorney/Agent)	38,736
Signature	<i>K D Erickson</i>	Date	22 March 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop RCE, Comm. for Patents, PO Box 1450, Alexandria VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

03/22/04

Name (Print/Type)	Kevin D. Erickson	Date	22 March 2004
Signature	<i>K D Erickson</i>		

SEND FEES and completed forms to the following address: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450  
FMC-1031



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert M. STACY  
Scott M. KANE  
Charles McVEAGH  
Ramesh M. GUNAWARDENA

Group No.: 3743

Serial No.: 09/954,446

Examiner:  
Josiah C. Cocks

Filing Date: 14 September 2001

Title: COOKING OVEN DAMPER SYSTEM FOR  
REGULATING UPPER AND LOWER FLOW PATHS

**AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED  
EXAMINATION (RCE) TRANSMITTAL**

**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

In connection with the attached Request for Continued Examination,  
please amend the subject patent application as follows:

Amendments to the claims are reflected in the listing of claims which  
begins on page 2 of this paper.

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

22 March 2004

22 March 2004

Date

K. D. C. C.

Signature